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Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004), paragraph 17 of resolution 1574 (2004) and paragraph 12 of resolution 1590 (2005).

II. Insecurity in Darfur

2. The past month coincided with the Muslim holy month of Ramadan, a period that usually enjoys a respite from conflict and violence, much as we witnessed in Darfur during Ramadan in 2004. Unfortunately, in my report for the month of September 2005 (S/2005/650), I described a sharp increase in violence that included clashes between the parties, attacks on villages and a further deterioration in security due to widespread banditry and lawlessness. Overall, the month of October saw a continuation of this extremely worrying trend.

3. At the same time, the frequency and intensity of direct clashes between the Sudan Liberation Movement/Army (SLM/A) and Government forces decreased relative to the previous month. Nevertheless, serious engagements were reported, such as the clash near Kutum, northern Darfur, at mid-month that resulted in dead and wounded among civilians and combatants and prompted more civilian displacements. Both SLM/A and the Government continue to show a chronic disregard for both the letter and the spirit of the ceasefire agreements they have signed.

4. According to the African Union (AU), most alleged violations of the ceasefire were attributable to the SLM/A. However, AU has reported that there were attacks during October by Government forces, operating either in apparent coordination with militia groups or alone, on villages such as Kabga and Um Bulli (both in northern Darfur). The Government's responsibilities in this regard are clear: it must prevent attacks on civilians by its own forces; and, it must immediately disarm the various militia groups, whether Government-aligned or independent, who continue to kill and loot with impunity.

5. The past month also saw attacks by militia on villages. In one particularly vicious incident on 23 October, militia carried out an attack on the Fur village of *Tama (southern Darfur)* that left dozens of civilians dead and many more injured.

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Some 240 families who fled to Amkassara, a village about 37 kilometres north of Nyala, have been unable to return to harvest their crops. By 31 October, the attackers were still occupying Tama. It is deeply disturbing that this kind of forced displacement, which occurred on a massive scale in the early phases of the conflict in Darfur, continues to this day, with no apparent efforts being made by the Government to put a stop to those terrible crimes.

6. As was the case in September, the security situation in western Darfur remained very precarious in October. Even after promises by the State Government to implement joint military and police patrols on the highways in order to ensure security, lawlessness and banditry have reached such dangerous levels that all roads out of Geneina remain open to United Nations staff only with approved armed escorts. The tense situation within Geneina itself warranted a reduction of non-essential United Nations personnel on 12 October. The limited freedom of movement for United Nations staff in western Darfur has affected the delivery of humanitarian assistance. The deployment by the Government of additional police resources in October was a welcome step but the Government in Khartoum and the State Government must do much more to ensure that rule of law prevails.

7. The poor security situation in western Darfur is compounded by issues that straddle the Sudan-Chad border. Reports of defections from the Chadian army have highlighted the risk of transborder tribal ties internationalizing the conflict in Darfur. Moreover, criminal cross-border activities add yet one more dimension to the already challenging security environment. I call on the Governments of both the Sudan and Chad to pursue energetically strategies that will minimize the overspill of issues from one neighbour into the other, which might either complicate security issues for one or both countries and/or interfere with the work of humanitarian agencies operating in the border region.

8. The month of October also marked a terrible milestone for the African Union Mission in the Sudan (AMIS). On 8 October, five members of an AMIS patrol were killed — the mission's first such deaths — during a firefight with an armed group that had earlier ambushed and killed two civilian contractors in southern Darfur. The AMIS patrol stated that the attackers appeared to be members of the SLM/A, while the movement's leadership denied any involvement. This tragic event was followed the next day by a large-scale, though short-term, detention of AMIS personnel and advisers by a splinter faction of the Justice and Equality Movement (JEM) near Tine, northern Darfur.

9. In yet another incident, an AMIS patrol was shot at near Tama, southern Darfur, on 27 October by unknown gunmen. This attack did not result in casualties. This unmistakable escalation of targeted violence against AMIS underscores the serious dangers and risks facing the AU force and the need for all parties to take the necessary measures to guarantee the safety and security of AU personnel in Darfur. I pay tribute to the courage and determination of the AU Mission in performing its vital mandate in Darfur.

10. In my June 2005 report on the situation in Darfur (S/2005/467), I highlighted the relative decrease in the number of deaths due to violence since early 2005. However, the months of September and October 2005 have recorded a rise in the number of people being killed in the region. In my next report, and after having analysed the relevant data, I will provide a clearer picture as to what degree those

two months have reversed the declining trend of deaths due to violence that had characterized most of 2005.

11. During the first days of November, just after the end of this reporting period, an incident occurred that resulted in the violation of the freedom of movement of members of the panel of experts appointed by the Security Council to monitor the implementation of Security Council resolution 1591 (2005). The incident took place during the panel's latest visit to El Fasher. This is the second time members of the panel have been harassed by Government security agents in Darfur. My Special Representative sent a démarche regarding the incident to the Ministry of Foreign Affairs on 8 November. A follow-up meeting was held with the State Minister on 10 November. The Minister admitted that the behaviour of military intelligence "had been wrong". He assured my Special Representative that the panel members have freedom of movement in the pursuit of their mandated activities, and he made a commitment to ensuring that the court case against the United Nations security officer who had accompanied the panel members would be dismissed.

III. Protection and human rights

12. The ongoing violence caused a further displacement of civilian populations to camps. During October, thousands of civilians throughout the Darfur region fled to the outskirts of their villages, makeshift settlements and camps for internally displaced persons. The Zam Zam camp in northern Darfur absorbed the largest single influx of newly displaced persons, with over 6,000 new arrivals in October alone.

13. Farmers are also continuously harassed by militia and nomadic groups. In the Um Kadada area, northern Darfur, reports were rife on thefts of farm produce by militia, and in Singita, Dulu and Karande, south of Kass, southern Darfur, villagers have reported harassment by nomads and militia in the form of looting, banditry and the forced payment of protection "taxes". Repercussions resulting from the non-payment of such taxes include the deliberate destruction of planted fields. Similar incidents were reported in Wadi Salih and Mukjar, western Darfur, where farmers complained of destroyed crops with no efforts or interventions from the authorities to protect them.

14. My previous monthly report on Darfur (S/2005/650) made reference to the commercial blockade by the Government of the Kalma camp for internally displaced persons in southern Darfur that has now been in place for five months. The blockade, which prevents the flow of critical goods and materials into the camp, seriously violates a significant number of provisions of international human rights and humanitarian law, including provisions of the Rome Statute of the International Criminal Court. My Special Representative and his colleagues continue to seek the earliest removal of the blockade at both the local and state levels but the blockade remains in place and continues to have deleterious effects on the population. This situation is unacceptable, and I strongly urge the Government to lift the blockade without any further delay or precondition.

15. As the Council is aware, Kalma camp was a source of concern in October for two other reasons. First, on 23 October, Government police and national security officials entered the camp without providing prior notification to AMIS, aggressively forced their way into an international non-governmental organization's

compound with weapons drawn and arrested two national staff members without any apparent cause. Second, and subsequent to the police raid, a large group of national staff members of international non-governmental organizations and local water authority employees were taken hostage by Kalma inhabitants in a protest over the arrest by the authorities of a sheikh within the camp. The situation was eventually resolved, but I strongly condemn this or any attack on or threat to humanitarian workers. All such attacks are contrary to international humanitarian law. Both the Government and internally displaced persons should respect humanitarian workers and the property of non-governmental organizations. In addition, due process and international human rights standards, which are an essential element of the Interim National Constitution, must be fully respected in any judicial proceedings following those events.

16. The upsurge in violence against civilian populations in Darfur seriously affected children. During the month of October, several children were killed and abducted in the region. In addition, despite my repeated expressions of concern on various occasions on the matter of child combatants, all parties continue to recruit children. I have again received troubling reports of children participating in hostilities in northern Darfur.

17. During the reporting period, the United Nations Mission in the Sudan (UNMIS) continued to document cases of serious violence against women and girls on a weekly basis. The problem of sexual and gender-based violence was particularly troubling in western Darfur, where UNMIS documented 21 cases: nine cases of rape, four cases of attempted rape and eight cases of assault. In one of the cases, two women informed United Nations human rights officers that on 2 October, a group of 10 armed men wearing khaki uniforms and riding horses and camels had raped them and four other women outside the Mornei camp for internally displaced persons. In another case, the victim was 15 years old. Not only am I deeply troubled about those reported abuses but it is also distressing that the victims continue to be reluctant to notify the police of incidents out of fear of retaliation and a lack of confidence in the authorities' capacity and willingness to conduct proper investigations.

18. At the same time, during the month of October, UNMIS was granted greater access to detention facilities in Darfur. In addition to accessing regular prison facilities, the State Director of National Security in Nyala (southern Darfur) allowed UNMIS to visit the town's national security detention facility for the first time. Of the five detainees interviewed by UNMIS, however, four reported being beaten during interrogations by members of the national security apparatus.

IV. Humanitarian situation

19. It is expected that the number of people affected by the crisis in Darfur, which has stabilized at 3.4 million, will decline over the next months as the resident populations who have been able to cultivate crops will benefit from improved harvests. The combination of good rains and an increased percentage of the population being active make it likely that the harvest will improve as compared to last season. A large proportion of the vulnerable population will remain dependent on food aid, however, with a cereal deficit forecasted to be between 374,000 and

507,000 tons in 2006. Only 20 per cent of the vulnerable resident populations have adequate food supplies from their own means, compared with 46 per cent in 2004.

20. During October, the number of internally displaced persons diminished slightly to 1.75 million as a result of new registrations and some small-scale returns. Since re-registrations began in March 2005, the internally displaced population has dropped by over 200,000. The new headcount in Kalma camp on 4 October, after six months of obstructive behaviour from authorities and sheikhs within the camps, indicated that the camp population is 87,000, substantially less than the working figure of 130,000 previously used. Nevertheless, Kalma is still the largest single camp for displaced persons in Darfur. A number of internally displaced persons have left the camps for the agricultural season. According to the Emergency Food Security and Nutrition Survey of Darfur undertaken in September by the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations, 19 per cent of internally displaced persons in camps have been active in agricultural activities. However, for the vast majority of those displaced people, access to land remains uncertain or impossible. It is expected that their total numbers will remain largely the same until the next planting season starts in early 2006, despite the recent surge in violence.

21. The survey also confirmed overall general progress in the humanitarian situation, as indicated earlier in various assessments and surveys. Average malnutrition rates have dropped since last year, from 21.8 per cent to 11.9 per cent this year, with severe malnutrition rates dropping to 1.4 per cent, down from 3.9 per cent in 2004. Similarly, the global acute malnutrition rate for children dropped from 21.8 per cent in 2004 to 11.9 per cent in 2005. The mortality rate decreased from 0.72 last year to 0.48 this year, well below the crisis threshold of 1 death per 10,000 persons per day. Child mortality and malnutrition rates likewise improved. The overall crude mortality for children under the age of five dropped from 1.03 deaths per 10,000 persons per day in 2004 to 0.71 in 2005.

22. The improved indicators are the direct result of the consistent and concerted efforts on the part of the humanitarian community, resulting in better conditions in all life-saving sectors. It is important to emphasize that those improvements do not mean that overall food security concerns have been addressed. The situation remains fragile and largely dependent on the delivery of humanitarian assistance. If access to affected populations becomes limited, the situation will take a turn for the worse. There are concrete examples of this scenario. In those areas which have been less accessible, such as areas held by SLM/A, the humanitarian situation is still very worrying. The improvements can only hold if road insecurity does not make it impossible to bring relief to those in need. In that respect, relief operations experienced new setbacks in October.

23. Armed clashes and banditry in western Darfur have placed severe limitations on the movement of the humanitarian community in Geneina; all roads out of the town are restricted for humanitarian traffic and non-essential United Nations, and some staff of international non-governmental organizations have been relocated. In southern Darfur, the security situation is very tense north, east and south of Nyala, with incidents of banditry occurring on a daily basis. Only in northern Darfur does United Nations accessibility remain reasonably high, despite attacks on villages and towns that occasionally force international non-governmental organizations to withdraw their staff. United Nations access throughout Darfur has decreased to

roughly 80 per cent in September and to less than 75 per cent in October (the lowest rate since April 2004). Moreover, the increasing violence to which the AU protection force is subjected casts doubt on the capacity of the humanitarian community to operate under precarious security circumstances.

24. Despite promises made to the United Nations in July 2005, elements of SLM/A have resorted again to the abduction of staff members of a national non-governmental organization. After lengthy talks, the three people abducted were released unharmed. I insist that SLM/A, other groups and the Government respect the neutrality of humanitarian organizations and refrain from disrupting assistance to the vulnerable populations in Darfur. It should be noted that Government authorities in Darfur often obstruct the implementation of humanitarian work. Since the signing of the joint communiqué in July 2004, there are still no Darfur-wide rules that provide for unrestricted travel for humanitarian staff, who continue to depend on local ad hoc decisions.

V. Darfur peace process

25. The sixth round of the inter-Sudanese peace talks on Darfur held in Abuja ended on 20 October following weeks of difficult AU negotiations among the Government, SLM/A and JEM. At the closing session, a joint communiqué was adopted by the parties which expressed their commitment "to make the next round", due to start on 21 November, "a decisive one". Although the talks did not make as much progress as had been hoped for, a number of positive developments took place during the negotiations despite the background of ongoing violence in Darfur.

26. The talks in Abuja were preceded by workshops that took place from 15 to 21 September 2005, on power-sharing, wealth-sharing and security arrangements. The start of the actual negotiations, which were to be held immediately following the workshops, suffered delays due to the dispute over the legitimacy of the SLM/A representatives to the talks. Whereas the SLM/A chairman, Abdul Wahid, had sent a list of delegates to the talks, the Secretary-General of the movement, Mini Minawi, presented a separate list, claiming that the first one was not representative. A group of 10 field commanders, representing different tribal groups, and 3 representatives from Minawi's office in Asmara arrived in Abuja on 25 September 2005, stressing the "neutrality" of their group in the ongoing disagreement between the SLM/A Chairman and Secretary-General and promising to promote unity within the movement. Despite week-long consultations, the SLM/A leadership failed to find a compromise on this issue. Difficulties between the two factions of the rebel group continued later in the month. On 29 October, an SLM reconciliation conference was convened in northern Darfur. While Mini Minawi attended the conference, Abdul Wahid did not, but sent a delegation which sought to delay the conference.

27. Despite the SLM split, the AU mediation went ahead and started the talks on 3 October, first with the power-sharing commission. Discussions on wealth-sharing and the security commission began only towards the end of the session.

28. Although negotiations on the three main elements of the talks should have been conducted in parallel, SLM/A and JEM, who formed a united delegation throughout the talks, cited a lack of capacity within the movements to discuss some of them, in particular wealth-sharing. Nevertheless, before the adjournment of the talks, the agenda on wealth-sharing was adopted.

29. Despite the difficulties faced at the beginning of the sixth round, some progress was made, especially with the first three of nine items on the power-sharing agenda: general principles on power-sharing; human rights and fundamental freedoms; and the criteria and guidelines for power-sharing. Furthermore, discussions began on the fourth agenda item, the federal system and all levels of Government, although the positions of the two still differed considerably. In particular, there are lingering concerns that the movements may continue to withhold their recognition of either the Comprehensive Peace Agreement or the Interim National Constitution on the grounds that they were not party to their negotiation. Until the resumption of the next round of talks on or about 20 November, the mediation will be consulting the parties on this and other outstanding issues, including the Darfur-Darfur dialogue.

30. After a long break since its last meeting in February 2005, the ninth meeting of the Joint Commission established by the N'djamena Protocol of 8 April 2004 was held in the Chadian capital on 13 and 14 October. The meeting took place in parallel to the Abuja talks, and both meetings influenced each other positively.

31. During the meeting, the Government and SLM/A came under heavy criticism for significant ceasefire violations, while militia groups were also criticized for attacks on civilians. It was noted that no progress had been made by the Government to disarm the Janjaweed and that the movements had failed to identify their positions and separate their forces on the ground. The Commission urged the parties to give written indications of their respective positions to the Ceasefire Commission; reiterated its call for the immediate disarmament of the Janjaweed; and urged the Government to allow the entry into Darfur of 105 armoured personnel carriers made available by Canada to AMIS. However, the Government signalled its readiness to allow only 35 armoured personnel carriers into the region but indicated a willingness to consider the entry of the remaining 70. Finally, it was agreed that the Joint Commission would meet on a regular basis, perhaps monthly.

32. To ensure the success of this vital process, continued coordination among international partners is required. The time has also come for all stakeholders to coordinate closely all those activities which will have to be carried out after a successful conclusion of the peace talks. They include: bridging the relief-development gap; assisting voluntary returns; ceasefire monitoring; disarmament, demobilization and reintegration; policing; and rule of law and human rights monitoring. Moreover, the Darfur-Darfur dialogue and reconciliation are core issues that should be addressed both during and after the talks if the peace settlement is to be truly inclusive.

33. The support of the international community for a Darfur peace agreement will also depend on a number of factors, including its broad consistency with the Comprehensive Peace Agreement and the Interim National Constitution and respect for the constitutional arrangements worked out for the southern Sudan; its potential application to other conflict areas in the country, such as eastern Sudan; and the inclusion of measures to effectively enforce a permanent ceasefire in Darfur. Those requirements and a unified SLM/A as a credible negotiating partner and the inclusion of the Sudan Peoples Liberation Movement (SPLM) in the Government of National Unity's policymaking regarding Darfur, are issues that the Sudanese and the international community should focus on as a matter of priority before the interval until the next session.

34. With the above in mind, my Special Representative, Jan Pronk, organized a meeting of special envoys to the Darfur peace process in Khartoum on 11 November. Special envoys and representatives of the African Union, Canada, the European Union, France, Germany, the League of Arab States, the Netherlands, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America were invited to participate.

VI. United Nations support to the African Union Mission in Sudan

35. By the end of October, the total strength of AMIS had reached 6,706. Of this figure, 699 were military observers, 4,878 were protection force troops, 1,191 were civilian police officers, 27 were international civilian staff and 11 staff were assigned to support the Ceasefire Commission. After a brief suspension in September, the build-up of the mission proceeded in October.

36. With the AU Mission approaching its authorized strength of 6,171 military personnel and 1,560 civilian police, the AU Commission is now focusing on ensuring that AMIS can reach its full operational capability. While the AU Mission continues to actively conduct its patrols and monitoring activities, its already enormously challenging tasks have been made considerably difficult by the attacks on its personnel that occurred in October, inaction by the Government on disarming the Janjaweed and continued logistical difficulties.

37. The United Nations continued to extend its active cooperation and strong support to the African Union throughout October. A team from United Nations Headquarters is currently running a three-week course for staff officers from AU member countries in Addis Ababa. The 42 participants in the course will constitute the core of staff officers for AMIS and AU headquarters in the future. The United Nations is also continuing its efforts to facilitate African Union efforts to secure fuel supplies for AMIS.

38. From 13 to 18 October, the team leader of the United Nations assistance cell to AU, Major-General Henry Anyidoho (Rtd.), accompanied a delegation from AU headquarters on their visit to Darfur, which was dispatched to the region from Addis Ababa, to demonstrate solidarity with AMIS troops, to encourage them to carry on with their duties despite the recent attacks and detentions and to advise on major operational matters.

VII. Observations

39. The dangerous increase in violence in Darfur has extended into its second month, seriously affecting the delivery of humanitarian assistance, claiming the lives of civilians and AMIS personnel and further reducing the initially improved prospects for the return of internally displaced persons in some areas. Civilians were again displaced from their villages, in some cases for the second or third time. Moreover, the looming threat of complete lawlessness and anarchy draws nearer, particularly in western Darfur, as warlords, bandits and militia groups grow more aggressive.

40. A further deterioration of the situation can be averted only by rapidly consolidating of the progress made at the sixth round of talks in Abuja. A political

solution is paramount, and to achieve one the Sudanese and the international community must coordinate their collective efforts towards two specific goals. First, they need to lay the groundwork for a successful conclusion to the forthcoming seventh round of the Abuja peace talks. This round should be final. It is crucial that a framework peace agreement be concluded before the end of the year. Second, it is imperative that, in coordination with the Sudanese parties, the international community immediately begin to plan the programmes and assistance that will be necessary to ensure the successful implementation of any peace agreement reached at the negotiating table in Abuja.

41. International partners will have a number of opportunities to coordinate and reinforce strategies and messages prior to the resumption of the Abuja process in November. Critical elements of any coordinated approach should focus on repairing the rift within SLM/A, conducting structured and dynamic consultations between the AU mediation team and the parties on outstanding issues with regard to the power-sharing commission, and encouraging the involvement of the SPLM elements of the Government of National Unity. The United Nations is prepared to assist in finalizing the negotiations. At the same time, it should be made clear to all parties that the AU-facilitated peace talks in Abuja are the only vehicle for achieving a viable solution. Talks outside of this framework, where some of the parties are excluded, will never lead to any sustainable agreements.

42. The international community will also have a key role in helping to implement any agreement that is reached by the parties. The African Union, the United Nations, other international organizations and partner Governments that have been supporting AU mediation efforts in Darfur would be well advised to begin immediate substantive planning so as to be prepared to lend the type and level of assistance that will be required to implement an agreement. The broad nature of this assistance is already well understood — including in the areas of disarmament, demobilization and reintegration, initial recovery activities and support for reconciliation efforts. The time has come to start concrete planning without any delay to bring to life a peace agreement that may be within the parties' reach. The people of Darfur deserve not only to achieve peace at the negotiating table as soon as possible but also to rapidly consolidate it through a well planned and well resourced implementation process. Both the Government of the Sudan and its international partners should urgently mobilize themselves in this regard. I reiterate that the United Nations will provide its full support and cooperation for these vital endeavours.